

FACT SHEET AND ANALYSIS - S.2925

The "Government Economy and Spending Reform Act of 1976," S.2925, was introduced by Senator Muskie on 3 February 1976. Three essentially identical bills have been introduced in the House since then (H.R. 11734, H.R. 12055, and H.R. 13066). According to a staff member of the Subcommittee on Intergovernmental Relations of the Senate Government Operations Committee, the Subcommittee is hoping to have ready its version of the bill by early May, and have the full Committee report the bill out by the end of May.

The bill is a comprehensive and complicated piece of legislation, and extensive redrafting apparently is expected. The intent behind the bill--to require periodic and detailed examination of Federal programs through zero-base review procedures designed to eliminate duplication--however, will not be changed. The major provisions of S.2925 are:

1. To place virtually all Federal programs and activities on a four-year authorization schedule. Among other things, the bill specifically requires the termination over a set schedule of all permanent (or impliedly permanent) authorizations. The schedule for reauthorization of Federal programs and activities is based on groupings by budget function.

2. To require congressional committees and the Executive Branch to conduct zero-base reviews of all Government programs and activities before any expenditures could be authorized. This would in effect force the authorization subcommittees to evaluate each and every Government program or activity covered by this bill "from the ground up," rather than operating on the basis of incremental increases over the previously authorized budget. At the same time, this process requires the executive agencies to justify their existence not less often than every four years.

3. To assist Congress in the evaluation and review procedures, the legislation would require the Comptroller General to conduct audits not less frequently than every six months of any program or activity that had already been reviewed by GAO (by authority of this or other legislation) and determined to be "substantially" deficient in achieving its objectives. The Congressional Budget Office also would be available to assist the standing committees in providing information to assist in the zero-base reviews.

Senator Glenn submitted an amendment to S.2925 on 1 April. This amendment requires that every request by a Federal agency to OMB requesting new budget authority be sent also to both houses of Congress. In addition,

the amendment would allow any standing committee of either house to obtain any information regarding requests for new budget authority or statements of proposed outlays by an executive agency; this would include specifically requests made to the heads of such agencies by components of the agencies.

One significant change apparently under consideration would involve requiring only the Executive Branch to conduct the zero-base reviews rather than placing this responsibility also with the congressional subcommittees; the subcommittees then would evaluate these reviews.

This bill, if enacted, would have a substantial impact on CIA and other members of the Intelligence Community.

By virtue of the authorities granted the CIA under Sections 5 and 8 of the Central Intelligence Agency Act of 1949, as amended (50 U.S.C.A. 403f and 403j), the Agency operates under a permanent authorization. Existing appropriations procedures do not require public disclosure of the Agency's budget. S.2925, by terminating all permanent authorizations and requiring full congressional review of executive agency activities and programs prior to periodic budget reauthorizations, apparently would require the CIA for the first time to operate under an authorization schedule. It is of concern that this process would lead to the public disclosure of the CIA budget and the other portions of the foreign intelligence program budget not currently identified publicly.

GAO's authority under S.2925 to evaluate and audit Federal programs and activities raises important questions of security and access that have been encountered in the past. It also raises questions about the approval process for covert action projects and the notifications that accompany reserve releases. The role of the Congressional Budget Office and the House and Senate Budget Committees in evaluating the CIA under a zero-base review procedure also could raise serious problems. For example, S.2925 requires that requests for changes in the review schedule have to be submitted to the Budget Committees, rather than the authorization or appropriation committees.

Finally, depending on the final form of the bill, it could require extensive and costly changes in Agency budgetary and auditing procedures; this despite the fact that to a large degree, the CIA currently uses zero-base review concepts as envisaged by S.2925.

29 JUN 1976

Honorable Abraham Ribicoff, Chairman
Committee on Government Operations
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

This is in response to your request for my views and recommendations on S. 2925, the "Government Economy and Spending Reform Act of 1976."

This bill would establish, among other things, new authorization schedules for all Government programs and activities, and would require that detailed zero-base reviews of each program or activity be conducted at least every fifth year as a precondition for reauthorization. In connection with the general merits of the bill, we defer to the views of other Executive agencies. In light of my statutory responsibilities to protect intelligence sources and methods from unauthorized disclosure, however, I do have a number of serious reservations concerning the impact of S. 2925 on the national foreign intelligence program.

This bill raises several problems for the intelligence community in terms of protection of and access to sensitive intelligence sources and methods, and could give rise to conflicts with the statutory authority of the Director of Central Intelligence to expend confidential funds under certain circumstances. In its present form, S. 2925 also could be interpreted to require not only the publication of the Government's national foreign intelligence program budget but also publication of detailed five-year reviews of foreign intelligence programs and activities. As such, the bill does not appear to afford sufficient consideration to the special and legitimate needs of the intelligence community for handling classified information and for protecting from disclosure information related to sensitive intelligence sources, methods, and analysis.

The secrecy that is inherently necessary to ensure the success of certain intelligence-gathering programs must be paralleled by secrecy in the funding of these programs. Without secrecy in funding, the secrecy of the programs themselves is seriously jeopardized. This position was shared by my predecessors in this job, and is reflected also in a letter from President Ford to Senator Church of 21 April 1976, in which the President registers his concern that disclosure of foreign intelligence budget information would reveal information useful to this country's foreign adversaries.



The Senate voted 55 to 33 in June 1974 against a measure that would have required the disclosure of the intelligence community budget; the House of Representatives voted 267-147 in October 1975 to defeat a move to force disclosure of the CIA budget. S. Res. 400 and the floor discussion during its consideration are replete with references to the importance of security in foreign intelligence matters. It is against this background and my own statutory responsibilities, that I must register my concern with those provisions of S. 2925 that could force the public disclosure of the Government's foreign intelligence budget, and with the absence of adequate provisions to protect sensitive foreign intelligence information of the sort that might be required to be included in the zero-base reviews submitted to or conducted by the Congress.

Section 102 of this bill, for example, provides that the report on new budget authorities to be submitted to Congress by the Comptroller General by 1 April 1977, shall include amounts of new budget authority provided for each Government program or activity for each of the four fiscal years before 1977. Neither this section nor any other portion of the bill protects against the proliferation and public disclosure of sensitive foreign intelligence information, such as apparently would be included in the reports to be submitted to or conducted by the Congress, regarding new budget authority for and zero-base review of Executive programs and activities. It is particularly important that the zero-base review reports related to foreign intelligence should be considered by and subject to the rules and procedures of those committees in the Senate--the Select Committee on Intelligence and the Armed Services Committee--having primary jurisdictional responsibility to protect against disclosure.

The broad mandate and the subpoena power granted the "Citizen's Bicentennial Commission on the Organization and Operation of Government," established under Title IV of S. 2925, creates additional problems of defining and delineating access to sensitive foreign intelligence information in light of my statutory responsibilities to protect such information from unauthorized disclosure.

A final area of concern relates to Section 602 of the bill, which provides any standing committee in either House of Congress with intra-agency budgetary communications and budgeting requests submitted to the White House by any Executive agency or department. Depending on the specificity

of the information to be furnished, such a provision could unduly proliferate sensitive foreign intelligence information, including the disbursement of confidential funds. Moreover, the broad language of this section could be construed to override the security protection afforded foreign intelligence information by statute and by procedures in both Houses of Congress.

In summary, this Agency defers to other Executive agencies and departments on the general merits of S. 2925 regarding zero-base review. In view of the specific concerns noted above regarding the national foreign intelligence program, however, it is my position that the bill could seriously hamper our foreign intelligence efforts. These concerns are reflected also in S. Res. 400 which, as you are aware, establishes specific procedures to guard against improper disclosure of sensitive foreign intelligence information and directs the Select Committee on Intelligence to study the issue of public disclosure of foreign intelligence budgetary matters.

I am advised that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

/s/ George Bush

George Bush
Director



Economic Affairs

'Sunset' Bills: An Eye on Big Government?

Citing the public's "anti-Washington" mood, members of Congress are seeking support for bills to make federal programs regularly justify their existence or come to an end.

The proposals are generally labeled "sunset" bills because they would mandate the periodic reauthorization by Congress of all federal programs, including many now taken for granted. If the activities were not reauthorized, they would fade into the sunset.

While the proposals take a number of forms, they share the common goal of improving government performance.

Public Dissatisfaction

The proliferation of federal programs, accompanied by duplication, inefficiencies and conflicting purposes, has resulted, says Sen. Edmund S. Muskie (D Maine), "in a bumper crop of public disenchantment with government so unresponsive that it cannot even perform the simple day-to-day tasks that need to be done."

Muskie, one of the sponsors of the bill that has received most attention in Congress so far, seeks to win support for the proposal by pointing out that the 1975 Catalog of Federal Domestic Assistance listed 1,030 programs—228 health-related, 156 in the area of income security and social service, and 83 in housing; that the Government Manual lists 44 independent agencies and 1,240 advisory boards, committees, commissions and councils besides the 11 cabinet departments; that in 1974, 85 governmental bodies were established and only three subsequently abolished.

"There may have been a time when we could afford nearly a thousand different legislative solutions to a few dozen national problems—when we did not have to worry which programs were working and which ones were not, because we knew there was enough in the till for everyone," said Muskie in a Feb. 3 Senate speech. "Today, we no longer have those options."

Proposals for Change

Bills have been introduced in the House and Senate that would, in a variety of ways, require the regular review of federal activities and agencies, with an eye to improved efficiency.

The bill (S 2925) that has received the most scrutiny so far was introduced Feb. 3 by Muskie, with bipartisan cosponsors that included John Glenn (D Ohio), William V. Roth Jr. (R Del.), Barry Goldwater (R Ariz.) and Budget Committee members Henry Bellmon (R Okla.) and Sam Nunn (D Ga.). Muskie is Budget Committee chairman and Bellmon the ranking minority member. By late April, the bill had 27 cosponsors, including Majority Leader Mike Mansfield (D Mont.) and Minority Leader Hugh Scott (R Pa.).

Muskie also is chairman of the Government Operations Subcommittee on Intergovernmental Relations, which held eight days of hearings in March and April on the bill.

Entitled the Government Economy and Spending Reform Act, it would build upon the budget procedure passed by Congress in 1974.

"...I have come to believe that no matter how successful the new budget process is, the statement of national priorities which is the federal budget will not be complete until Congress improves control over the services which the budget is intended to buy," Muskie said at the opening hearing March 17. While previous efforts at increasing government efficiency focused on reorganization by the executive branch, Muskie continued, it was time for Congress to face the issue since it bore responsibility for the legislative maze of programs.

Muskie called the bill a "first draft" to stimulate discussion. As introduced, it contained these major elements:

- All federal programs and activities would have to be reauthorized at least every four years or be terminated automatically. Exceptions would be made for payment of interest on the public debt and for programs in which individuals made payments to the federal government with the expectation of receiving later benefits, such as railroad and Civil Service retirement, Social Security and Medicare.

- Over a four-year period beginning Sept. 30, 1979, all programs and activities would be scheduled for reauthorization, grouped by budget function. Activities within the same function would terminate simultaneously so that Congress could look comprehensively at a functional area, such as national defense or agriculture.

- As part of the review process, House and Senate committees would conduct a "zero-base review" of the programs and activities in their jurisdiction every fourth year before reporting a reauthorization. Under this concept, the committees would assess the impact of no funding for a program, and then, working up from zero, evaluate the impact of incremental increases. The committees also would review the duplication of programs.

Additionally, the President would submit with his budget request a zero-base review and evaluation of the programs and activities scheduled for termination in the coming fiscal year, and specific objectives for all programs.

- To help the authorizing committees initially, the General Accounting Office (GAO), the investigative arm of Congress, would report to Congress by April 1, 1977, all existing permanent authorizations; assist in the zero-base reviews; and report by July 1, 1977, on duplicative and inactive programs. Congressional committees would propose remedies by May 15, 1978.

- In addition, Glenn has proposed an amendment that would extend the zero-base evaluation concept to tax expenditures—revenues lost to the government because of tax policy, such as deductions for interest on home mortgages.

Need for Action

The supporters of S 2927 have focused on its zero base budgeting provisions, which they describe as a logical sec-

ond step to the 1974 budget act. That law gave Congress the potential for focusing on overall federal spending, they say; the provisions of S 2927 would permit it to focus on the individual aspects of federal spending.

Roth argues that the bill "would end the unspoken rule that money spent on a program this year must be continued or increased in next year's budget," an axiom that has led the federal government "into the fool's trap of throwing good money after bad for a wasted enterprise." The new assumption instead would be that no new budget authority would be necessary until a program was proven worthwhile and cost effective, he said Feb. 3.

Roth and others also maintain that the quadrennial evaluations would help Congress to get a handle on "uncontrollable growth" in spending, since higher costs would be assessed against program goals more often.

Supporters also say the evaluations would help to consolidate overlapping programs, eliminate unnecessary ones and generally provide for more efficiency and a better use of taxpayers' money. With Congress initiating the changes, they theoretically would have more chance of passage than executive branch proposals for consolidations which tend to fare poorly in Congress.

Rep. Norman Y. Mineta (D Calif.) saw potential improvements in federal-local relationships as well from the bill. There could be a "positive impact" on local governments receiving federal aid as bureaucratic red tape was eliminated and grant programs were overhauled to revise overlapping or contradictory objectives, he told the subcommittee March 18.

Muskie observes that the proposal does not signal a retreat from the traditional Democratic commitment to a federal role in solving national problems. On the contrary, he says, many of the goals of new federal programs he has worked for in the past "are being thwarted by an unwieldy and unresponsive federal establishment." The changes represented by zero-base budgeting and "sunset" provisions would help to achieve some of those original goals. And unless changes are made, he continues, the federal government may lack both the fiscal resources and the public's trust to pursue new legislative solutions to national problems.

Practical Problems

The witnesses before the Intergovernmental Relations Subcommittee, representing the executive branch, local government, citizens' groups and private business, all applauded the goals of S 2925.

They also identified a host of problems with the bill as introduced.

James T. Lynn, director of the Office of Management and Budget (OMB), said April 6 that the overriding problem with the bill was its "mechanical and inflexible"

approach. Some activities, he explained, needed more frequent reviews than every four years, some less. Some evaluations could take years to do properly, some a few months. The approach embodied in the bill,

he and others testified, could mean a mass of paperwork that in the end would accomplish very little.

Another problem, said Alice M. Rivlin, director of the Congressional Budget Office (CBO), was the bill's sweeping mandate for zero-base budgeting. For many federal activities, she said, there was a general consensus

that they were a proper function for the federal government, such as national defense, and the conducting of a census. For such activities, she said, the relevant question was not whether such a program should exist, but rather whether the activity was being done in the most effective way.

A related problem that both she and Commerce Secretary Elliot L. Richardson highlighted was the difficulty of measuring the effect of federal programs. Objective could be general, numerous or difficult to quantify, they said. Additionally, it was not always possible to judge the impact of ending a particular program or activity.

Richardson suggested that preparing evaluations every four years could "easily become a mere mechanical exercise" and suggested a more targeted approach, with initial attention on so-called "uncontrollable" programs which would be revised or eliminated only through legislation.

GAO Comptroller General Elmer B. Staats also was concerned about the workload required for an across-the-board zero-base budget evaluation, and about the difficulties in identifying overlapping or duplicative programs. He suggested a pilot test.

Several witnesses, including former OMB Director Roy L. Ash (1972-75) questioned the need for new legislation at all. "Don't wait for legislation," suggested Ash. He urged the Budget Committees, authorizing committees and OMB to start instead on selected zero-based analyses immediately, and hold off on legislation until some practical experience had been gained.

Staats and administration witnesses also observed that under the Intergovernmental Cooperation Act of 1968 (PL 90-577) GAO could, at the request of any committee, study specifically the duplicative or conflicting nature of grant programs, in addition to its general investigatory and oversight functions. (Details, 1968 Almanac p. 505)

Outlook

The problems mentioned by the witnesses, as well as the potential political impact on favorite programs of congressional committees, create formidable obstacles to the drafting of specific legislation, despite the appeal of the overall goals.

The Intergovernmental Relations Subcommittee completed hearings on S 2925 April 8 and the staff is working to revise the measure. Its efforts have included meetings with OMB Deputy Director Paul H. O'Neill.

"You can always work out the practical problems," said subcommittee staff director Alvin From. "...The difficulty really is in coming up with a distribution of the workload, so that good careful evaluations can be made, rather than just making paperwork."

A member of the minority staff who has worked with Roth on the bill, Douglas Barrett, said that the problem was to keep a "comprehensive approach" to evaluation without overwhelming the legislative process. None of the principal sponsors has any illusions about the difficulties such a bill would face, he continued, but added there was "a good deal of support, interest and commitment" to it.

If an acceptable approach can be worked out, the subcommittee may hold markup sessions in mid-May.

In the House, companion legislation (HR 11734) has been introduced by Mineta and James J. Blanchard (D Mich.). It has been referred to the Rules Committee which has no plans for action.

—By Judy Gardner

HOUSE OVERSIGHT BILLS AND PROVISIONS

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Bill and Sponsor(s)	Title of Committee	No.	Make-Up	Agencies	Duties	Exclusive Jurisdiction?	Scope of Jurisdiction?	Authorization Authority
H. R. 54 Introduced by Rep. Clement J. Zablocki	Joint Committee on National Security	25	House Speaker, Majority and Minority Leaders of the House and Senate, Chairmen and ranking Minority Members of the House and Senate Committees on Appropriations, Armed Services and Foreign Relations (Affairs) 3 Members each from the House and Senate (2 Majority & 1 Minority), appointed by the Speaker and President of the Senate respectively, Chairman & ranking Minority Member of Joint Committee on Atomic Energy.	Silent	1. Make continuing study of foreign, domestic & military policies of the U.S. to determine if they are integrated in furtherance of the National Security. 2. Study the NSC 3. Study Government practices of classification and declassification of documents.	No legislative jurisdiction.	Foreign, domestic and military policies of the U. S.	No
H. R. 261 Introduced by Rep. Edward G. Biester	Joint Committee on Intelligence Operations	18	9 Senators (5 Majority, 4 Minority) to include 2 from Armed Services and Foreign Relations 9 Representatives (5 Majority, 4 Minority), to include 2 from Armed Services, Appropriations and Foreign Affairs.	CIA, DIA, DOD, NSA, INR, Army, Navy and Air Force Intel, any other agencies which engage in foreign intel activities.	Conduct continuing oversight of, and to exercise exclusive jurisdiction over the legislative authorization with respect to foreign intelligence activities and operations of the listed agencies.	No	Foreign intel activities	No

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HOUSE OVERSIGHT BILLS AND PROVISIONS

Bill and Sponsor(s)	Title of Committee	MEMBERSHIP		Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4		Exclusive Jurisdiction?	Scope of Jurisdiction?	Authorization Authority
		No.	Make-Up	Agencies	Duties			
H. R. 463 Introduced by Rep. Bill Frenzel and Rep. Alan Steelman	Joint Committee on Intelligence Oversight	14	7 Senators (4 appointed by Senate Majority Leader, 3 appointed by Senate Minority Leader. 7 Representatives (4 appointed by House Majority Leader, 3 appointed by House Minority Leader.	CIA, FBI, Justice, Secret Service, DIA, DOD, NSA, and all other agencies which gather intel or conduct surveillance activities.	1. Conduct continuing study investigation of the activities and operations of listed agencies. 2. Consider proposals for reorganization of agencies within Joint Committee's jurisdiction. 3. Legislative Jurisdiction	No	Domestic and foreign intel.	Yes
H. R. 2232 Introduced by Rep. Paul N. McCloskey	Joint Committee on Intelligence Information	10	5 Senators appointed by the President pro tempore. 5 Reps. appointed by the Speaker (no more than 3 of the same political party in each.)	Intel gathering agencies of the Government	1. Conduct continuing review of effectiveness and problems of the intel gathering activities of the Government relating to national security. 2. Provide Congress with an annual report thereof.	No legislative jurisdiction	Foreign and domestic intelligence gathering activities.	No
H. R. 8199 Introduced by William S. Broomfield	Joint Committee on Intelligence Oversight	14	7 Senators (4 Majority, 3 Minority) appointed by Pres. pro tempore. 7 Reps. (4 Majority, 3 Minority) appointed by Speaker.	CIA, FBI, Secret Service, DIA, NSA, DOD intel components and all other agencies with intel functions.	1. Continuing study & investigations of the activities, operations & budget of listed agencies. 2. Report by 30 June 1977 recommendations regarding the Secret Service, & improvement of agencies within its jurisdiction	No	Foreign and domestic intel functions.	No

Bill and Sponsor(s)	Title of Committee	HOUSE OVERSIGHT BILLS AND PROVISIONS					Scope of Jurisdiction?	Authorization Authority
		MEMBERSHIP Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4		Agencies	Duties	Exclusive Jurisdiction?		
H. R. 12618 Introduced by Rep. Edward G. Biester	Joint Committee on Intelligence Operations	18	9 Senators (5 Majority, 4 Minority) to include 2 from Armed Services, Appropriations and Foreign Relations. 9 Representatives, (15 Majority, 4 Minority), to include 2 from Armed Services, Appropriations, & Foreign Affairs. No Member may serve for more than 6 years.	CIA, DIA, DOD, NSA, INR, Army, Navy and Air Force Intel and other agencies engaged in foreign intelligence activities.	1. Exercise exclusive legis. and oversight jurisdiction over foreign intel activities and operations of listed agencies.	Yes	Foreign intel activities and operations	No
H. R. 51 Introduced by Rep. Robert A. Roe	Committee on the CIA	15	5 from Armed Services 5 from Foreign Affairs 5 others	CIA	Silent	Silent	Silent	Silent
H. R. 78 Introduced by Rep. Michael Harrington	Committee on Intel Operations	15	5 serving concurrently on Armed Services; 5 serving concurrently on Appropriations; 5 serving concurrently on Foreign Affairs.	CIA, DIA, NSA, INR, Army, Navy and Air Force Intel & agencies involved with foreign intel activities.	Silent	No	Oversight of foreign intel activities	No

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HOUSE OVERSIGHT BILLS AND PROVISIONS

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Bill and Sponsor(s)	Title of Committee	No.	Make-Up	Agencies	Duties	Exclusive Jurisdiction?	Scope of Jurisdiction?	Authorization Authority
H. R. 1095 Introduced by Rep. Dale Milford	Committee on Intelligence	11	2 Armed Services; 2 International Relations; 1 Science & Technology; 1 Banking, Currency & Housing; 1 Public Works & Transportation; 1 Judiciary; 1 Government Operations; 1 Interstate & Foreign Commerce; 1 Chairman designated by the Speaker.	Agencies involved in foreign and domestic intelligence.	Oversight of foreign & domestic intelligence activities.	No	Foreign & domestic	No
H. R. 1224 Introduced by Rep. Otis G. Pike	Committee on Intelligence	9-13	Designated by the Speaker in consultation with the Minority Leader & representing the same political ratio as the House. Service is limited to 6 years. (Committee & staff members).	CIA, DCI, DIA, NSA, DOD, DOS, Justice, Treasury, FBI and any other agency of the Federal Government which engages in intelligence activities.	1. Oversee & make continuing studies of intel activities & programs of the U.S. Government. 2. Submit to the House appropriate proposals for legislation. 3. Make detailed studies & report to House thereof.	No	Foreign & domestic intelligence.	Yes
H. J. Res. 201 Introduced by Rep. Joseph P. Addabbo	Joint Committee on Classified Information	18	Chairman and ranking Minority Members of the House & Senate Armed Services, Foreign Affairs and Defense Appropriations Subcommittee of the Appropriations Committee. 3 Members from Senate-1 appointed by President; 3 Members from House, 1 appointed by Speaker.	Executive Branch	1. Study Executive Branch practices of classifying info. 2. Initiate action to prohibit misuses of the classification process & publicly disclose classified info. when it feels the classification is not merited.	No legislative jurisdiction.	Information relating to activities of the Federal Government.	No

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HOUSE OVERSIGHT BILLS AND PROVISIONS

Bill and Sponsor(s)	Title of Committee	MEMBERSHIP Approved For		Release 2003/01/29 : CIA-RDP79M00467A000400020002-4		Exclusive Jurisdiction?	Scope of Jurisdiction?	Authorization Authority
		No.	Make-Up	Agencies	Duties			
H.J. Res. 656 Introduced by Rep. Robert L. Sikes and H.J. Res. 657 Introduced by Rep. Henry J. Hyde	Joint Committee on Intelligence Operations	20	10 Representatives and 10 Senators including Chairman and ranking Minority Members from the Committees on Armed Services, Appropriations, International and Foreign Relations.	CIA, DIA, NSA, Army, Navy, Air Force intel, INR and any other intel gathering agency.	Exercise oversight for all U.S. intel gathering and covert activities & operations including but not limited to CIA, DIA, NSA, Army, Navy, Air Force intel, INR.	No	All intelligence gathering activities & operations of the U.S. Government.	No
H.J. Res. 806 Introduced by Reps. John J. Rhodes and William S. Cohen	Joint Committee on Intelligence	18	9 Senators (5 Majority, 4 Minority), to include 2 each from Committees on Armed Services and Foreign Relations. 9 Representatives (5 Majority, 4 Minority), to include 2 from each Committee on Armed Services Appropriations and International Relations.	CIA, DIA, NSA, Army, Navy Air Force intel, Justice, Treasury & FBI	1. Exercise exclusive legislative jurisdiction with respect to authorization of funds in connection with any intel activity conducted in any foreign country by any agency of the Government. 2. Review & study intelligence activities conducted in foreign countries.	Yes	Foreign Intelligence activities.	Yes

HOUSE OVERSIGHT BILLS AND PROVISIONS

Bill and Sponsor(s)	Title of Committee	MEMBERSHIP		Agencies	Duties	Exclusive Jurisdiction?	Scope of Jurisdiction?	Authorization Authority
		No.	Make-Up					
H. J. Res 945 Introduced by Reps: Elford A. Cederberg; John J. Rhodes; Delbert L. Latta; and Robert H. Michel	Joint Committee on Intelligence	18	Same as H. J. Res. 806	Same as H. J. Res. 806.	1. Exercise exclusive legislative jurisdiction with respect to any intelligence activity and the authorization of funds. 2. Review and study intelligence activities.	Yes	Any intelligence activity (foreign & domestic.)	Yes
H. Con. Res 18 Introduced by Rep. Robert W. Kastenmeier	Joint Committee on Central Intelligence	18	9 Senators appointed by President of Senate, not more than 5 Members of the Majority Party; 9 Reps. appointed by the Speaker, not more than 5 Members of the Majority Party.	CIA and all agencies engaged in foreign intelligence activities.	1. Make continuing studies of the intel activities & problems relating to the gathering of intelligence affecting the national security and of its coordination and utilization by various departments.	No	Intelligence affecting the national security (foreign & domestic.)	No
H. Con. Res. 313 Introduced by Rep. Edward P. Boland	Joint Committee on Information & Intelligence	14	7 Senators appointed by the President of the Senate, 7 Reps. appointed by the Speaker (not than 4 from the same party).	Each information & intelligence agency of the U.S., including U.S. Information Agency, CIA, DOS, DOD, Army, Navy, Air Force intelligence and the FBI.	Make continuing studies of: 1. Activities of each agency & their interrelationship; 2. Relationships between info & intel agencies of the U.S. & U.S. based corporations & the effect on U.S. foreign policy & intel ops abroad.	No	Foreign, domestic intelligence	No

Committee Access to Information	Authority to Declare & Publicly Release	Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4 Insure Secrecy	Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4 to Subpoena Witnesses & Documents	Utilize Services & Facilities of Executive Branch
Silent	Silent	Silent	Yes	Yes
"fully and currently informed"	Silent	1. Establishment of guidelines by the Committee for classification of information in accordance with Executive Branch standards. 2. Establishment of guidelines by which records may be made available to any Member of Congress who has appropriate security clearances.	Yes	Yes

Committee Access to Information	Authority to Declassify & Publicly Release	Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4 Insure Secrecy	<u>GENERAL AUTHORITIES</u> to Subpoena Witnesses & Documents	Utilize Services & Facilities of Executive Branch
Joint Committee kept "fully and currently informed"	Silent	Joint Committee may classify information in accordance with standards used by the Executive Branch.	Yes	Yes
Silent	Silent	The Joint Committee may make such rules respecting its organization and procedures as it seems necessary.	Yes	Yes
"fully and currently informed"	Silent	Committee may classify in accordance with the Executive Branch standards. Committee shall institute and carry out rules necessary to prevent disclosure. Committee rules take precedence over any conflicting House and Senate rules.	Yes	Yes

Committee Access to Information	Approved For Authority to Declassify & Publicly Release	Release 2003/01/29 : CIA-RDP79M00467A000400020002-4 Measures to Insure Secrecy	GENERAL AUTHORITIES Authority to Subpoena Witnesses & Documents	Utilize Services & Facilities of Executive Branch
"fully and currently informed"	Silent	Establishment of guidelines for 1. Classification of information in accordance with Executive Branch standards, 2. Release of records to any Member of Congress. Staff member or officers may be find \$5,000 or 5 years imprisonment or both for unauthorized disclosure.	Yes	Yes
Silent	Silent	Silent	Silent	Silent
Silent	To Members of Congress, design- ated officers, or employees only under security safeguards the Committee deems appropriate.	All records shall be maintained under appropriate security safeguards in the interest of national security.	Silent	Silent

Committee Access to Information	Authority to Declassify & Publicly Release	Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4 Measures to Insure Secrecy	GENERAL AUTHORITIES	
			Authority to Subpoena Witnesses & Documents	Utilize Services & Facilities of Executive Branch
Silent	Yes, through Special Leadership Committee.	Provides punishment for releasing classified materials.	Silent	Silent
"fully and currently informed"	Yes, after a determination that the public interest would be served.	The Committee may under regulations which the Committee shall prescribe to protect the confidentiality of such informa- tion, make any information available to any other Com- mittee or Member of the House. A written record shall be kept showing which Members re- ceived such information.	Yes	Yes
Silent	Yes	All records shall be maintained under such security safeguards as the Joint Committee shall determine to be in the interest of security.	Yes	Yes

Committee Access to Information	Authority to Declassify & Publicly Release	Measures to Insure Secrecy	Subpoena Witnesses & Documents	Utilize Services & Facilities of Executive Branch
Joint Committee is authorized to secure any information relating to intelligence from any executive agency. All intelligence agencies must keep the Committee fully and currently informed.	Silent	Joint Committee shall establish guidelines for the classification of information originating within the Joint Committee. No employee of the Committee shall be granted access to classified information without an appropriate security clearance.	Yes	Yes
Hheads of agencies shall keep the Committee fully and currently informed.	Joint Committee shall establish guidelines under which information may be released to any Members of Congress who requests such and has an appropriate security clearance.	Information shall be classified in accordance within Executive Branch standards. The Joint Committee shall establish rules to prevent the unauthorized disclosure of information outside the Joint Committee. Penalties for disclosure are provided.	Yes	Silent The Joint Committee may permit any individual designated by the President to attend any meeting which is closed to the public.

Committee Access to Information	Authority to Declassify & Publicly Release	Measures to Insure Secrecy	Witnesses & Documents	Utilize Services & Facilities of Executive Branch
Committee shall be kept fully and currently informed.	No	Joint Committee shall establish rules to prevent disclosure outside the committee, of information which is not authorized to be disclosed and would adversely effect the carrying out of any intelligence activity. Joint Committee shall classify information in accordance with standards of Executive Branch.	Yes	No Joint committee may permit Presidential representative to attend any meeting closed to public.
"fully and currently informed"	Silent	Silent	Yes	Yes
Each agency shall give the committee such info as the committee may require. (to include amts., purposes & recipients of expenditures)	Silent	Silent	Yes	Yes

CA Prior Notification Prior Approval	Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4 Reporting Requirements Under 662	Agency Respons., to Report to Committee	Committee Reports to Congress
Silent	Silent	Silent	Committee shall report time to time (at least annually on their findings and recommendations.)
No	Silent	Joint Committee shall have authority to require periodic reports regarding activities and operations.	From time to time to their respective Houses.

Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4
Reporting Requirements Under 662
Agency Response to Report to Committee

CA Prior Notification
Prior Approval

Committee Reports
to Congress

No

Silent

Joint Committee has authority to require from any agency periodic written reports regarding activities and operations within their jurisdiction.

Report to respective houses from time to time by bill or otherwise their recommendations.

No

Silent

Silent

An annual report and from time to time, at least once during each session of Congress.
Note: Proposed National Security Act amendments (identical to H.R. 628)

1. Intelligence "gathering"
2. No military, paramilitary or political activity.

No

Silent

Committee has authority to require periodic written reports regarding activities and operations within the jurisdiction of the Committee.

Silent

Note: Select Committee on Intelligence shall transfer all documents in its possession to the Joint Committee.

Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4

CA Prior Notification Prior Approval	Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4 Reporting Requirements Under 662	CIA-RDP79M00467A000400020002-4 Agency Response to Report to Committee	Committee Reports to Congress
Yes, no funds expended until end of 30 day period following President's report on necessity of operation.	Reporting required only to Joint Committee on Intelligence operations. Joint Committee may require from the President periodic reports regarding any operation for which funds are being expended as a result of congressional prior approval.	Joint Committee may require periodic reports.	"from time to time"
Silent	Silent	Silent	Silent
No	Silent	Silent	Silent

CA Prior Notification Prior Approval	Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4 Reporting Requirements Under 662	Agency Respons. to Report to Committee	Committee Reports to Congress
Silent	Silent	Silent	Silent
No	Silent	Head of agency should report any violations of law, President directive, etc. Annual report, (unclassified version made available to public.)	Regular and periodic reports. Note: Committee may permit a personal representative of the President to attend any closed meeting.
Silent	Silent	Silent	Joint Committee shall report to the Senate and House from time to time the results of its investigations.

Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4
Reporting Requirements
Under 662

Agency Reports to
Report to Committee

Committee Reports
to Congress

CA Prior Notification
Prior Approval

No

Silent

Agency must keep the Committee fully
and currently informed.

Members of the Joint Committee
shall report their respective
Houses from time to time.

No

Silent

Heads of agencies shall keep the Committee
fully and currently informed.

Members shall report from time
to time to their respective
Houses (at least annually).

Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4
Reporting Requirements
Under 662

CA Prior Notification
Prior Approval

Report to Committee

Committee Reports
to Congress

No

Notification made to House Committee on
intelligence & Committee on Appropriations
only

"fully and currently informed "

Members shall report from time to
time (at least annually) to their
respective houses.

No

Silent

keep committee fully & currently informed

report from time to time (no less
than once every 3 months.

No

Silent

Such information as the committee may
require

Joint committee shall make an
annual report to both Houses &
additional reports as necessary.

Approved For Release 2003/01/29 : CIA-RDP79M00467A000400020002-4

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ROUTING AND RECORD SHEET

29 June 76

SUBJECT: (Optional)

Executive Registry

76-8281/1

FROM:

Legislative Counsel
7D49 HQ

EXTENSION

NO.

DATE 4 NOV 1976

STATINTL

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

DDCI

2.

Comptroller (FYI)

3.

4.

5.

STATINTL

6.

STATINTL

7.

STATINTL

8.

9.

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11.

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14.

15.

STATINTL

To follow up our conversation this morning on "Sunset" legislation, here is some background information you might find helpful. The major Sunset bill introduced during the 94th Congress was Senator Muskie's, S. 2925, which although not acted on by the full Senate had extensive hearings and received a good deal of attention in the Senate. Almost certainly it will come up again early next session. The three papers attached are a fact sheet on S. 2925, prepared earlier this year by [] []; our views letter on S. 2925; and a background article from the Congressional Quarterly.

for George L. Cary
Legislative Counsel

OLC

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ROUTING AND RECORD SHEET

Executive Registry
100-10131

SUBJECT: (Optional)		EXTENSION		NO.
FROM: Legislative Counsel				DATE: 29 June 1976
TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
	RECEIVED	FORWARDED		
1. Director	7/6/76			<p>Attached is a copy of the latest OLC wallpaper -- more precisely a rundown on the 16 different House bills calling for intelligence oversight that have been submitted to date. You will note that the bills submitted by Representatives Cederberg, Rhodes and Biester provided for exclusive jurisdiction. Representatives Milford and Broomfield have indicated that they will amend their bills to make similar provisions in them.</p> <p>George D. Cary Legislative Counsel</p> <p>STATINTL</p> <p>OLC</p>
2. ER				
3. CONFIDENTIAL				
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13. (EXECUTIVE SECRETARY FILE)				
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